

unnecessary. It is only after the information is evaluated that the relevance and necessity of such information can be established with certainty.

(iii) When information is received by the IRS relating to violations of law within the jurisdiction of other agencies, the Service processes this information through the Service systems in order to forward the material to the appropriate agencies.

As required by Executive Order 12866, it has been determined that this proposed rule is not a significant regulatory action, and therefore, does not require a regulatory impact analysis.

Pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, it is hereby certified that these regulations will not significantly affect a substantial number of small entities. The proposed rule imposes no duties or obligations on small entities.

In accordance with the provisions of the Paperwork Reduction Act of 1995, the Department of the Treasury has determined that this proposed rule would not impose new recordkeeping, application, reporting, or other types of information collection requirements.

#### List of Subjects in 31 CFR Part 1

Privacy.

Part 1 of Title 31 of the Code of Federal Regulations is amended as follows:

#### PART 1—[AMENDED]

1. The authority citation for part 1 continues to read as follows:

**Authority:** 5 U.S.C. 301, 31 U.S.C. 321, subpart A also issued under 5 U.S.C. 552, as amended. Subpart C also issued under 5 U.S.C. 552a.

#### § 1.36 [Amended]

2. Section 1.36, under the heading "The Internal Revenue Service," is amended by removing in paragraph (a)(1) the entry "Integrated Data Retrieval System (IDRS) Security Files—34.018" and in paragraph (b)(1) by adding the following entry in numerical order to read as follows:

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \*

Name of system	No.
* * * * *	*
Audit Trail Lead Analysis System	34.020
* * * * *	*
* * * * *	*

Dated: November 10, 1998.

**Shelia Y. McCann,**

*Deputy Assistant Secretary (Administration).*

[FR Doc. 98-33905 Filed 12-22-98; 8:45 am]

BILLING CODE 4830-01-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-6205-8]

### National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of intent to delete Yellow Water Road Dump Superfund Site from the National Priorities List (NPL): request for comments.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 4 announces its intent to delete the Yellow Water Road Dump from the National Priorities List (NPL) and requests public comment on this proposed action. The NPL constitutes Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended. EPA and Florida Department of Environmental Protection (FDEP) have determined that the Site poses no significant threat to public health or the environment and, therefore, further remedial measures pursuant to CERCLA are not appropriate.

**DATES:** Comments concerning this Site may be submitted on or before January 22, 1999.

**ADDRESSES:** Comments may be mailed to: David Lloyd, Remedial Project Manager, U.S. Environmental Protection Agency, 61 Forsyth Street, Atlanta, Georgia 30303.

Comprehensive information on this Site is available through the EPA Region 4 public docket, which is located at EPA's Region 4 office and is available for viewing by appointment from 9 a.m. to 4 p.m., Monday through Friday, excluding holidays. Requests for appointments or copies of the background information from the regional public docket should be directed to the EPA Region 4 Docket Office.

The address for the Regional Docket Office is: Ms. Debbie Jourdan, U.S. Environmental Protection Agency,

Region 4, 61 Forsyth Street, Atlanta, Georgia 30303, Telephone No. (404) 562-8862.

Background information from the regional public docket is also available for viewing at the Site information repository located at the following address: Baldwin Town Hall, 10 U.S. 90 West, Baldwin, Florida 32234. U.S.

**FOR FURTHER INFORMATION CONTACT:** David Lloyd, Remedial Project Manager, U.S. Environmental Protection Agency, 61 Forsyth Street, Atlanta, Georgia 30303, (404) 562-8917.

#### SUPPLEMENTARY INFORMATION:

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- I. Introduction
- II. NPL Deletion Criteria
- III. Deletion Procedures
- IV. Basis for Intended Site Deletion

#### I. Introduction

The Environmental Protection Agency (EPA) Region 4 announces its intent to delete the Yellow Water Road Dump Site, Duval County, Florida from the National Priorities List (NPL), Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR part 300, and requests comments on this deletion. EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and maintains the NPL as the list of these sites. As described in § 300.425(e)(3) of the NCP, sites deleted from the NPL remain eligible for remedial actions in the unlikely event that conditions at the Site warrant such action.

EPA will accept comments on the proposal to delete this Site for thirty days after publication of this document in the **Federal Register**.

Section II of this document explains the criteria for deleting sites from the NPL. Section III discusses the procedures that EPA is using for this action. Section IV discusses the Yellow Water Road Dump Site and explains how the Site meets the deletion criteria.

#### II. NPL Deletion Criteria

Section 300.425(e) of the NCP provides that sites may be deleted from the NPL where no further response is appropriate. In making a determination to delete a site from the NPL, EPA shall consider, in consultation with the state, whether any of the following criteria have been met:

(i) Responsible parties or other parties have implemented all appropriate response action required;

(ii) All appropriate response under CERCLA has been implemented, and no further action by responsible parties is appropriate; or

(iii) The remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

Even if a site is deleted from the NPL, where hazardous substance, pollutants, or contaminants remain at the site above levels that allow for unlimited use and unrestricted exposure, EPA's policy is that a subsequent review of the site will be conducted at least every five years after the initiation of the remedial action at the site to ensure that the site remains protective of public health and the environment. In the case of this Site, the selected remedy is protective of human health and the environment. EPA will conduct a five-year review for the Site and if new information becomes available which indicates a need for further action, EPA may initiate remedial actions. Whenever there is a significant release from a site deleted from the NPL, the site may be restored to the NPL without the application of the Hazardous Ranking System.

### III. Deletion Procedures

The following procedures were used for the intended deletion of this Site: (1) EPA issued a Final Close Out Report indicating that the remedial actions at the Site were completed in accordance with the two Records of Decisions for the Site and that no further remedial action is necessary to ensure protection of human health and the environment; (2) The Florida Department of Environmental Protection concurs with the proposed deletion decision; (3) A notice has been published in the local newspaper and has been distributed to appropriate federal, state, and local officials and other interested parties announcing the commencement of a 30-day public comment period on EPA's Notice of Intent to Delete; and, (4) All relevant documents have been made available for public review at the local Site information repositories.

Deletion of the Site from the NPL does not itself create, alter, or revoke any individual's rights or obligations and does not preclude eligibility for future response actions. The NPL is designed primarily for informational purposes and to assist Agency management. As mentioned in section II of this document, § 300.425(e)(3) of the NCP states that the deletion of a site from the NPL does not preclude eligibility for future response actions.

For deletion of this Site, EPA's Regional Office will accept and evaluate public comments on EPA's Notice of Intent to Delete before making a final decision to delete. If necessary, the Agency will prepare a Responsiveness

Summary to address any significant public comments received.

A deletion occurs when the Regional Administrator places a final notice in the **Federal Register**. Generally, the NPL will reflect deletions in the final update following the notice. Public notices and copies of the Responsiveness Summary will be made available to local residents by the regional office.

### IV. Basis for Intended Site Deletion

The following summary provides the Agency's rationale for the proposal to delete this Site from the NPL.

#### A. Site Background and History

The Yellow Water Road Dump Site is located off Yellow Water Road (Florida State Road 217) about one mile south of Baldwin, Duval County, Florida. The Site encompasses approximately 14 acres. The land adjacent to the Site is used for commercial and residential purposes.

In October 1981, the property owner and several independent companies formed an enterprise with the intent of incinerating PCBs on the property. PCB-contaminated liquid and equipment were stored at the Site. The incinerator permit was never obtained, and the PCB-contaminated materials continued to be stored on site. Valuable metals such as copper were salvaged from the transformer carcasses, spilling PCB liquid and causing soil contamination at the Site.

During an emergency removal action conducted by EPA in November 1984, 719 transformers were drained, steam cleaned, and stored on site. Approximately 100,000 gallons of PCB-contaminated fluid were transferred to secured, on-site holding tanks, and approximately 3,000 cubic yards of PCB-contaminated soil were excavated and stockpiled on a concrete pad.

The Yellow Water Road Dump Site was proposed for inclusion on the NPL on September 18, 1985 (50 FR 37950) and placed on the NPL on June 10, 1986.

In May 1988, EPA entered into an Administrative Order on Consent with a group of Potentially Responsible Parties (PRPs) to perform an interim surface removal action at the Site. The PRPs completed the removal action in July 1988. The removal activities included the demolition and disposal of an on-site warehouse, off-site disposal of the stockpiled contaminated soil, off-site incineration of 78,854 gallons of PCB-containing liquid, disposal of 704 transformers, and disposal of 18,690 pounds of capacitors.

Under an Administrative Order on Consent the PRPs began a Remedial

Investigation/Feasibility Study (RI/FS) in 1990. The RI included an investigation of surface water, soil, sediment, air and ground water associated with the Site. The investigation included a wide range of analyses to detect volatile organic compounds, base/neutral compounds, pesticides, polychlorinated biphenyls (PCBs), and inorganic compounds. The Risk Assessment identified PCB compounds as the only contaminants of concern at the Site. Total PCB concentrations of up to 660 mg/kg in Site soil and sediment were identified, and total PCB concentrations of up to .029 mg/l were detected in Site groundwater.

#### B. Response Actions

Based on the results of the RI/FS work and the Risk Assessment, EPA issued two Records of Decision (RODs). The Operable Unit One (OU-1) ROD, issued on September 28, 1990 called for excavation and solidification/stabilization of PCB-contaminated soil and sediment. The Operable Unit Two (OU-2) ROD, dated June 30, 1992 called for a long term ground water monitoring remedy, with a contingency for ground water pump and treat.

Under an EPA Unilateral Administrative Order issued by EPA, the PRP's contractor completed a Remedial Design for the soil and sediment remedy in September 1992. A Consent Decree between EPA and the PRPs provided for the implementation of the remedy for both operable units. The Consent Decree was entered on October 11, 1995. A separate agreement under which several federal PRPs would participate in implementing the remedy was embodied in an Administrative Order on Consent. In January 1996, EPA approved Remedial Action Work Plans prepared by the engineering contractor for the OU-1 and non-contingent OU-2 remedies. The construction contractor mobilized to the Site and began implementing these remedies on May 9, 1996. A volume of 4,472 cubic yards of contaminated soil and sediment was excavated, stabilized and solidified using portland cement, and placed in an on-site monolith. A September 17, 1996 construction inspection revealed that all components of the OU-1 remedy and the non-contingent portion of the OU-2 remedy were constructed in accordance with RD/RA plans and specifications.

A Remedial Action Report dated November 1996, documents the completion of the Remedial Action for OU-1 and completion of the non-contingent portions of the remedy for

OU-2. EPA approved the RA Report on February 26, 1997.

On April 6, 1998 an Explanation of Significant Difference (ESD) for the OU-2 ROD was finalized. The ESD clarifies the OU-2 ROD to indicate that the ground water remedy, based on four consistent monitoring events with no detectable PCBs, had attained its performance goal of 0.5 ppb. On this basis, no further ground water monitoring or contingent remedial activities are required.

#### C. Cleanup Standards

The remedial action cleanup activities at the Yellow Water Road Dump Site are consistent with the objectives of the NCP and provide protection to human health and the Environment. The cleanup standards for soil PCBs are 10 mg/kg. The cleanup standards for PCBs in ground water are 0.5 ppb. All soil containing PCBs at concentrations greater than 10 mg/kg was excavated, treated via stabilization/solidification, placed in an on-site monolith, covered with one foot of clean soil and vegetated. Treated soil achieved performance standards of greater than 50 psi for compressive strength and less than 60 ug/l for total leachable PCBs (TCLP). Extensive confirmatory sampling verifies that the Site has achieved the cleanup standards for both soil and ground water and that performance standards were achieved or exceeded for treated soil.

#### D. Operation and Maintenance

The Operation, Maintenance and Monitoring Plan was approved by EPA on May 1, 1997. Ongoing operation, maintenance and monitoring activities include semi-annual inspections of the Site monolith to evaluate the presence of, or potential for, surface cover failures and/or intrusions including surface cracking, establishment of deep-rooted vegetation, animal burrow holes, wash-outs and soil erosion; assessment of Site fencing and vegetative cover inspection; and evaluation of the monolith integrity. Pursuant to the existing Consent Decree, the Yellow Water PRP Group has assumed all responsibility for O&M until the thirty year anniversary of the Consent Decree entry in 2026. Following this date, federal PRPs will conduct the O&M.

#### E. Five Year Review

Because treated waste will remain on site in the monolith, a five year review of this project is necessary to ensure continued protection of human health and the environment. The five year time frame begins with the date of remedial action mobilization to the Site which,

for this project, is May 9, 1996.

Therefore, the five year review should be completed prior to May 9, 2001 and will be conducted pursuant to OSWER Directive 9355.7-02, "Structure and Components of Five Year Reviews."

#### F. Community Involvement

EPA published its community Relations Plan in May 1990, after interviews with local residents and officials. An information repository was established at the Baldwin Town Hall and all of the documents used to make remedy decisions were placed there before the Records of Decisions were signed. Other community involvement activities included an on-site public meeting, routine publication of fact sheets at all important milestones during the project and ongoing direct communication with the public as the need for information arose.

#### G. Applicable Deletion Criteria

One of the three criteria for deletion specifies that responsible parties or other parties have implemented all appropriate response actions required. EPA, with concurrence of Florida Department of Environmental Protection, believes that this criterion for deletion has been met. Subsequently, EPA is proposing deletion of this Site from the NPL. Documents supporting this action are available from the deletion docket.

#### H. State Concurrence

EPA has consulted with the Florida Department of Environmental Protection (FDEP) in evaluating the Site for deletion. FDEP has concluded that activities at the Site have been completed in accordance with the site Records of Decision and the remedy is protective of human health and the environment.

Dated: November 30, 1998.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*

[FR Doc. 98-33742 Filed 12-22-98; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 441

[FRL-6209-1]

### Notice of Data Availability; Effluent Limitations Guidelines and Pretreatment Standards for the Industrial Laundries Point Source Category

AGENCY: Environmental Protection Agency (EPA).

**ACTION:** Notice of data availability.

**SUMMARY:** On December 17, 1997, EPA proposed pretreatment standards for pollutants discharged to publicly owned treatment works (62 FR 66181). This notice presents a summary of the data received since the proposal, and an assessment of the usefulness of the data in EPA's analyses; presents a modified technology option suggested by commenters; presents a modified no regulation option suggested by commenters; discusses a voluntary industry program, and discusses other specific issues raised by commenters including the methodology for the passthrough analysis. EPA solicits public comments regarding any of the information presented in this notice of data availability and the record supporting this notice.

**DATES:** Submit an original and three copies of your comments postmarked by February 8, 1999.

**ADDRESSES:** Submit comments to Ms. Marta E. Jordan at the following address: US EPA, Engineering and Analysis Division (4303), 401 M. St. SW, Washington, DC 20460.

The data and analyses being announced today are available for review in the EPA Water Docket at EPA Headquarters at Waterside Mall, room EB-57, 401 M. St. SW, Washington, DC 20460. For access to the docket materials, call (202) 260-3027 between 9:00 a.m. and 3:30 p.m. for an appointment. A reasonable fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:** For additional technical information, contact Ms. Marta E. Jordan at (202) 260-0817 or at the following e-mail address: [Jordan.Marta@epa.gov](mailto:Jordan.Marta@epa.gov). For information on economic information contact Mr. George Denning at (202) 260-7374 or at the following e-mail address: [Denning.George@epa.gov](mailto:Denning.George@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Contents of This Document

- I. Purpose of this Notice
- II. Data Acquired Since the Proposal
  - A. POTW Data
  - B. Industrial Laundry Data and Trade Association Voluntary Program
  - C. EPA Sampling Data From a Facility Operating Chemical Precipitation Treatment
  - D. Total Petroleum Hydrocarbons (TPH) Characterization Study Using Method